United Nations A/HRC/25/NGO/155

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11798
1411798

Please recycle

North Korean Refugees

Every year desperate citizens of the Democratic People's Republic of Korea try to flee their country. About 1,500 people escaped from the DPRK in 2013. Since Supreme Leader Kim Jong-un took over power, the refugee rate decreased by more than 40 % from 2,706 in the year 2011 to 1,509 in the year 2013. Two of the reasons for this development are stronger border controls and a stronger surveillance in the People's Republic of China, which is the first venue for most defectors. It is expected that the flow of defectors will constantly increase after the execution of Kim Jong-Un's uncle, former Vice Chairman of the National Defence Commission of North Korea, Jang Song-thaek. The government is about to strengthen its border controls. It is a sad fact that China supports this by reinforcing guarding on South Korean embassies and regarding North Korean defectors as "economic migrants" instead of "refugees". Moreover, the Chinese Government gave instructions to its authorities to treat them like criminals against the state.

North Korean refugees are awkwardly dispersed over all Asia. Some countries are less strict than others. Examples are Thailand and Cambodia. It is more difficult to escape through Laos, whereas the situation in Mongolia and Viet Nam is not really clear. Mongolia for instance has strong relations with China. But its authorities still allow South Korean embassies to accept North Korean refugees. Some North Koreans also flee to the Russian Federation. The country has signed the *Border Treaty* in 1990. With this Russia "agreed to send migrant workers such as loggers, defectors and asylum seekers back to the DPRK." It still seems that the Russian authorities are less strict about North Korean defectors than their Chinese counterparts. However, no matter which country they choose, it is an undeniable fact that a defection can never be a completely safe undertaking for North Koreans.

Nevertheless, there are still North Koreans who try to defect because of the unbearable situation in their country. People in North Korea constantly face immense problems such as hunger, repression, an insufficient health care system and a general lack of basic freedoms. Added to this one has to mention the constant fear of state authorities due to strict surveillance and a culture of denunciation. The humanitarian overview, which was published by the United Nations in March 2013, states that "around 16 million people remain chronically food insecure." Apart from this situation it is believed that between 80,000 and 200,000 North Korean citizens, including children, are held in either one of the 6 political prison camps or in one the numerous re-education camps. Reasons to get into these prison camps range from trivial offences to more severe "crimes". But the boundaries between these types of crimes are fluent. Everything could be considered as a crime against the state, including watching American or South Korean movies, listening to the radio or simply consuming any kind of Western media. The living conditions in the North Korean prison camps are terrible: detainees have to do heavy physical work for 10 to 12 hours per day while they get ridiculously small portions of food. They receive heavy beatings, rape, torture and public executions on a daily basis. Several former detainees and camp guards reported on their horrible experiences about the time they spent in these camps. According to reports by The International Coalition to Stop Crimes against Humanity in North Korea (ICNK) more than 10,000 people die in prison camps every year. Furthermore, it is estimated that more than 400,000 people have died in these camps during the last 40 years. Another report which was recently published by Human Rights Watch states that Kim Jong-un "continues to rely on an extensive prison camp system to punish dissenters and has made it more difficult and dangerous for North Koreans to flee the country". Furthermore, it says that Kim "has ordered border guards to shoot illegal crossers on sight". It becomes clear that the North Korean government does everything to prevent defections.

Up to 80 % of the North Korean refugees are women, which leads directly to the problem of human trafficking. This can mean either being sold as a bride or being sold into the sex trade. Especially in China, where a lot of single men are in search for a woman because of the one-child policy and the surplus of men, human trafficking of North Koreans is a huge problem. Sources say that between 70 % and 80 % of female North Korean defectors are victims of human trafficking. Without language skills and any documents, these women are completely helpless. They are often treated badly by their Chinese husbands and yet they are still not safe in China. It is not unusual that these women are repatriated back to North Korea if caught by Chinese authorities. Regarding the refugee issue, the main problem remains the repatriation policy of China and other Asian states. They have to repatriate North Korean defectors because

of bilateral agreements, especially between North Korea and China. There is a lot of pressure on the Chinese authorities and other Asian governments to send these people back to their homeland. There are about 50,000 North Koreans who are currently hiding in China. These people have to deal with a constant fear of getting caught by the authorities.

The countries "army-first-policy" is one reason of the horrible situation of many North Koreans, which includes famine, surveillance and constant fear of possible actions by the oppressive state. But defection contains a high risk as well: nine young North Korean orphans who tried to escape in May last year. They already made it to Laos where they were taken in custody while entering the South Korean embassy. Some newspapers assume that they are dead already after they were shown on North Korean television for propaganda reasons. Another case is the one of 13 defectors who were caught by Chinese authorities in the Chinese city of Kunming in November 2013. So far, their fate remains unclear, although various media reports assume that they have been sent back to North Korea already. The death of many other defectors is a sad fact. Eunhee Kim for example: she was 26 years old when she died from torture after she defected in 2012 and was repatriated in July of the same year. Eun Ok Park, 40 years old was seized by Chinese police in Shenyang and repatriated to North Korea in July 2012. She was beaten so badly in the head that she was discharged only to die in her home two months later. These two female victims were mentioned in a petition by the Defense Forum Foundation in cooperation with various other NGOs to exert pressure on the Chinese Government to stop repatriations of North Koreans. In October 2013 several North Korean defectors told the British Parliament during North Korean Defectors' Week about the time they spent in the prison camps. This event aimed to raise awareness of human rights abuses within North Korea. One of the defectors, Kim Young Soon, spent 9 years in Yodok, one of North Korea's most notoriously brutal prison camps. Like most of the prisoners, Ms. Kim had no clue about the reason for her captivity. Her whole family died during the imprisonment, including her eight-year-old son. Years after her release, she found out about her "crime". One of her friends had an affair with former leader Kim Jong-il. Simply knowing this fact brought her and her whole family to Yodok.

Nowadays, about 26,000 North Koreans live in South Korea. Of course some of them struggle with this new life which offers a variety of opportunities and freedoms. Therefore, it is also important to take care of North Korean refugees while they are trying to settle down in the new country.

Society for Threatened Peoples calls on the Human Rights Council to call on the Government of the People's Republic of Korea to:

- Stop the repression of their own people and let everybody the right to travel and move freely.

Society for Threatened Peoples calls on the Human Rights Council to call on the Governments of Asia to:

- Stop their repatriation policy. It is a well known fact that repatriated defectors have to face severe punishment, including the death penalty, if they are forced to go back.